

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

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<p>BRIGHT RESPONSE, LLC, Plaintiff,  vs.  GOOGLE INC., et al., Defendants.</p>	<p>Civil Action No. 2:07-cv-371-CE JURY TRIAL DEMANDED</p>
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**MOTION FOR LEAVE TO FILE  
YAHOO! INC.'S MOTION TO MODIFY THE PROTECTIVE ORDER**

Defendant Yahoo! Inc. (“Yahoo”) submits this motion for leave to file a motion to modify the protective order. The motion to modify the protective order explains the facts surrounding the necessity of modifying the protective order to protect Yahoo’s confidential information in a way that will not prejudice plaintiff Bright Response, LLC. For this reason, Yahoo respectfully requests leave to file a motion to modify the protective order.

Dated: November 5, 2009

Respectfully Submitted,

/s/ Jason White

Jason C. White  
HOWREY LLP  
321 N. Clark, Suite 3400  
Chicago, IL 60654  
Tel: 312.595.1239  
Fax: 312.595.2250  
Email: whitej@howrey.com

John F. Bufe  
Michael Jones  
Potter Minton  
110 N. College St., Suite 500  
P. O. Box 359

Tyler, Texas 75710  
Tel: (903) 597-8311  
Fax: (903) 597-0846  
Email: mikejones@potterminton.com

*Attorneys for Defendant Yahoo! Inc.*

**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing document was served via CM/ECF on November 5, 2009 upon all counsel of record.

/s/ Jason White  
Jason White

**CERTIFICATE OF CONFERENCE**

Pursuant to Local Rule CV-7(h), Defendant Yahoo hereby certifies that its counsel has conferred, on numerous occasions, including on November 2, 2009, with Plaintiff Bright Response, including Andrew Weiss and John Bustamante, in a good faith to attempt to resolve this matter without the Court's intervention. There was no agreement because Plaintiff Bright Response's counsel wants to leave one port active on the source code computers. These discussions have conclusively ended in an impasse. Thus, Bright Response opposes this motion.

/s/ Jason White  
Jason White

/s/ John F. Bufe  
John F. Bufe